

**WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP**

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111 MONUMENT CIRCLE, SUITE 3700  
INDIANAPOLIS, INDIANA 46204-5137

**FAX COVER SHEET**NO. OF PAGES: COVER SHEET PLUS 7 PAGE(S)TO: **Commissioner for Patents  
Legal Department**

FAX NO: (571) 273-0459

FROM: John V. Moriarty

DATE: April 14, 2005

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--

Application Number	10/512,122
Filing Date	October 21, 2004
First Named Inventor	Desmond Jay Maslen
Art Unit	
Examiner Name	
Attorney Docket Number	5754-2

**THE FOLLOWING DOCUMENTS ARE BEING TRANSMITTED HERewith**

1. Petition Requesting Withdrawal of Notice of Abandonment Under 37 C.F.R. §1.181.
2. Exhibit A, Copy of Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371.
3. Exhibit B, Copy of Return Post Card
4. Exhibit C, Copy of Credit Card Form
5. Exhibit D, Copy of Notification of Abandonment

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FORM PTO-1300 (REV. 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>5754-2</b>	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>					
INTERNATIONAL APPLICATION NO. <b>PCT/AU02/00513</b>		INTERNATIONAL FILING DATE <b>24 April 2002 (24.04.2002)</b>		PRIORITY DATE CLAIMED <b>27 April 2001 (27.04.2001)</b>	
TITLE OF INVENTION <b>RADIAL ENGINE</b>					
APPLICANT(S) FOR DO/EO/US <b>Desmond Jay MASLEN</b>					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.					
2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.					
3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.					
4. <input checked="" type="checkbox"/> The US has been elected (Article 31).					
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))					
a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).					
b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.					
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).					
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).					
a. <input type="checkbox"/> is attached hereto.					
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).					
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))					
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).					
b. <input checked="" type="checkbox"/> have been communicated by the International Bureau.					
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.					
d. <input type="checkbox"/> have not been made and will not be made.					
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).					
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unsigned)					
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).					
Items 11 to 20 below concern document(s) or information included:					
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.					
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.					
13. <input type="checkbox"/> A preliminary amendment.					
14. <input type="checkbox"/> An Application Data Sheet Under 37 CFR 1.76.					
15. <input type="checkbox"/> A substitute specification.					
16. <input type="checkbox"/> A change of power of attorney and/or address letter.					
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.					
18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).					
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).					
20. <input checked="" type="checkbox"/> Other items or information:					
a.) International Publication with Search Report					
b.) International Preliminary Examination Report with amended pages					
Express Mail Label No.: EV 334088092 US Date of Deposit: October 21, 2004 I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to MAIL STOP PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.					
Signature of person mailing paper or fee <u>Rubén A. Rojas</u>					

EXHIBIT

A

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U.S. APPLICATION NO. (If known, use 37 CFR 1.53)

INTERNATIONAL APPLICATION NO.  
PCT/AU02/00513ATTORNEY'S DOCKET NUMBER  
5754-221. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)

nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO

and International Search Report not prepared by the EPO or JPO . . . . . \$1080.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO . . . . . \$920.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . \$770.00International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . \$730.00International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$ 1080.00

\$ 130.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	13 - 20 =	-0-	x \$18.00	\$ -0-
Independent claims	1 - 3 =	-0-	x \$86.00	\$ -0-
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$ -0-

TOTAL OF ABOVE CALCULATIONS =

\$ 1210.00

☒ Applicant claims small entity status. Sec 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

\$ 605.00

SUBTOTAL =

\$ 605.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ -0-

TOTAL NATIONAL FEE =

\$ 605.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

TOTAL FEES ENCLOSED =

\$ 605.00

Amount to be  
refunded:

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charged:

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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
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A duplicate copy of this sheet is enclosed.
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overpayment to Deposit Account No. 23-3030.
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NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

John V. MORIARTY  
WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP  
Bank One Center/Tower, Suite 3700  
111 Monument Circle  
Indianapolis, Indiana 46204 US

SIGNATURE

John V. MORIARTY

NAME

26,207

REGISTRATION NUMBER

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No. 5754-2Initials: FF 21 October 2004

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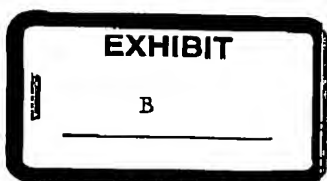
**10/512122**Inventor: ☐ Trademark  
☐ CopyrightSerial No.: 5754-2Status: Filed HerewithApplicant: Desmond Jay MASLENTitle: RADIAL ENGINE

Number of sheets of the attached is

DT14 Rec'd OCT 21 2004

**334088092US**

- ☒ Application  
☒ Check for \$ Credit Card Form  
☐ \_\_\_\_\_ sheets of drawing(s)  
☒ Transmittal Letter  
☐ Fee Calculation Sheet  
☐ Request \_\_\_\_\_ sheets  
☐ Description \_\_\_\_\_ sheets  
☐ Claims \_\_\_\_\_ sheets  
☐ Abstract \_\_\_\_\_ sheets  
☒ Declaration (unsigned)  
☒ Preliminary Amendment  
☒ IPER




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PTO-2038 (02-2003)

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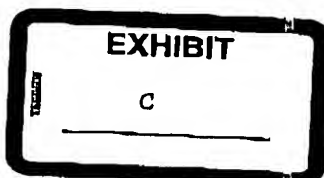
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Application No.	Application No.	Application No.	IDON Customer No.
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Attorney Docket No. 5754-2		Identify or Describe Mark	

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www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/512,122	FIRST NAMED APPLICANT Desmond Jay Masien	ATTY. DOCKET NO. 5754-2
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INTERNATIONAL APPLICATION NO. PCT/AU02/00513
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I.A. FILING DATE 04/24/2002	PRIORITY DATE 04/27/2001
--------------------------------	-----------------------------

30565  
WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP  
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Woodard, Emhardt, Moriarty,  
McNett & Henry LLP

CONFIRMATION NO. 8441

371  
ABANDONMENT/TERMINATION  
LETTER

\*OC000000015598997\*

Date Mailed: 04/01/2005

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

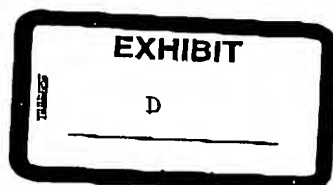
Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)



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**WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP**  
PATENT AND TRADEMARK ATTORNEYSBANK ONE CENTER/TOWER  
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INDIANAPOLIS, INDIANA 46204-5137**FAX COVER SHEET**NO. OF PAGES: COVER SHEET PLUS 9 PAGE(S)

TO: Anthony Smith

FAX TELEPHONE NO: 1-571-273-0459

FROM: John V. Moriarty

DATE: 21 April 2005

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Desmond Jay Maslen

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